

REMARKS

Applicants have carefully reviewed this Application in light of the Office Action mailed March 18, 2004. Claims 10, 16, 53 and 59 have been cancelled without prejudice or disclaimer and Claims 1-9, 11-52 and 54-101 are pending in this Application. Claims 46, 53, 60 and 101 stand objected to based on various informalities, Claims 3-9, 36, 46-52, 78-86, 92, 95 and 99 stand rejected under 35 U.S.C. §112, second paragraph, Claims 1-9, 18, 24-27, 29, 32, 33, 44-52, 61, 67-70, 72, 75, 76, 100 and 101 stand rejected under 35 U.S.C. §102(2) and Claims 10-17, 19-23, 28, 30, 31, 34-43, 53-60, 62-66, 71, 73, 74 and 77-97 stand rejected under 35 U.S.C. §103. Claims 1-3, 8, 11-15, 17, 18, 24, 26, 32, 34, 35, 38, 40, 42, 44-46, 51, 54-58, 60, 61, 67, 69, 75, 77-87, 91, 92 and 94-101 have been amended to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Objections to the Specification

The Abstract of the disclosure was objected to under MPEP § 608.01(b) "because it simply lists the features recited in claim 1, and thus does not describe the invention such that it sufficiently assists readers in deciding whether there is a need for consulting the full patent text for details." (Office Action, page 2). Thus, Applicants have amended the Abstract to comply with MPEP § 608.01(b).

Objections to the Claims

Claims 46, 53, 60, and 101 were objected to due to various informalities. Applicants have therefore amended or cancelled each of Claims 46, 53, 60 and 101 to overcome these objections.

Rejections under 35 U.S.C. §112

Claims 3-9, 36, 46-52, 78-86, 92, 95, and 99 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have therefore amended Claims 3 and 8 to overcome the rejections of Claims 3-9; amended Claim

35 to overcome the rejections of Claim 36; amended Claims 46 and 51 to overcome the rejections of Claims 46-52; amended Claims 78-86 to overcome the rejections of Claims 78-86; amended Claim 91 to overcome the rejections of Claim 92; amended Claim 95 to overcome the rejections of Claim 95; and amended Claim 99 to overcome the rejections of Claim 99.

Claims 1-9, 11-52 and 54-101 are Allowable Over the Cited References

Claims 1-9, 18, 24-27, 29, 32,33, 44-52, 61, 67-70, 72, 75-76, and 100-101 stand rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,373,817 issued to Fen-Chung Kung et al. (“Kung”).

Claims 10-12, 14-17, 28, 34-36, 38, 53-55, 57-60, 71, 77-79, 81, 87-88, 90-92, and 94 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kung, and also over U.S. Patent No. 5,327,486 issued to Richard S. Wolff et al. (“Wolff”).

Claims 13, 37, 56, 80, and 93 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kung and Wolff, and also over U.S. Patent No. 5,758,280 issued to Misa Kimura (“Kimura”).

Claims 37, 80, and 93 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kung, and also over U.S. Patent No. 5,933,778 issued to Michael Buhrmann et al. (“Buhrmann”).

Claims 39-43, 82-86, 89, and 95-97 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kung, Wolff, and Buhrmann.

Applicants submit that none of the references cited by the Examiner, alone or in combination, disclose, teach or suggest each and every element of amended Claim 1. For example, amended Claim 1 recites, in part:

A method for facilitating mediated virtual communication, comprising:
. . . receiving . . . a contextual communication summary and a plurality of possible follow-through actions regarding a particular incoming communication;
. . . displaying the contextual communication summary and the plurality of possible follow-through actions;

. . . facilitating designation of one of the plurality of follow-through actions; and

. . . transmitting said selected follow-through action such that said selected follow-through action regarding the particular incoming communication is used to update a mediation subscriber profile operable to manage subsequent incoming communications.

As a particular example, the references cited by the Examiner fail to disclose, teach or suggest “transmitting said selected follow-through action such that said selected follow-through action regarding the particular incoming communication is used to update a mediation subscriber profile operable to manage subsequent incoming communications.”

For at least these reasons, Applicants submit that the cited references do not disclose, teach or suggest each and every element of amended Claim 1. Thus, Applicants respectfully request reconsideration and allowance of amended Claim 1, together with all claims that depend from amended Claim 1. In addition, for at least the reasons stated with regard to amended Claim 1, Applicants respectfully request reconsideration and allowance of amended independent Claims 34, 44, 77, 87 and 100, together with all claims that depend therefrom.

Information Disclosure Statement

Applicants enclose an Information Disclosure Statement and PTO Form 1449, with a copy of the reference and a check in the amount of \$180.00, for the Examiner's review and consideration.

CONCLUSION

Applicants appreciate the Examiner's careful review of the application. Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. For the foregoing reasons, Applicants respectfully request reconsideration of all pending Claims 1-9, 11-15, 17-52, 54-58, and 60-101, as amended.

Applicants believe there are no additional fees due, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2581.

Respectfully submitted,

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